

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Tyler Stevenson on February 5, 2009.

2. The application has been amended as follows:

a. The abstract is replaced with

-- A liquid preparation of a paper dye comprising a) 15 to 50% by weight of the dye of the formula $\text{CuPc}[\text{SO}_2\text{NH}(\text{CH}_2)_3\text{N}(\text{CH}_3)_2]_{2 \text{ to } 3}[\text{SO}_3\text{H}]_{1 \text{ to } 2}$ (1), in which CuPc represents copper phthalocyanine, or the alkali metal salt of (1), b) 5 to 15% by weight of ϵ -caprolactam, c) 1 to 8% by weight of formic acid, d) 1 to 7% by weight of benzyl alcohol, e) 0 to 3% by weight of a lower aliphatic organic acid, f) 0 to 5% by weight of an inorganic salt and g) water, to complete to 100% by weight, a process for the production of said preparation and the use thereof for dyeing, in particular dyeing of paper. --

b. Claims 2 and 12 are cancelled without prejudice to their further prosecution in a continuation application.

c. In claim 1, line 2, replace "50" with --20--

(support for limitation found in cancelled claim 2).

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance: The claims are allowable over the closest prior art of record, Lacroix (US 4,111,650), Wunderlich (US 5,489,330) and Pedrazzi (US 5,665,871), in view of applicant's demonstration of unexpectedly improved lower viscosity of the formulations comprising ϵ -caprolactam rather than N-methyl pyrrolidone in the declaration filed December 8, 2008. These lower viscosities provide paper dyeing formulations with improved pumpability.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMINA KHAN whose telephone number is (571)272-5573. The examiner can normally be reached on Monday through Friday, 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (571) 272-1119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1796

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lorna M Douyon/
Primary Examiner, Art Unit 1796

/Amina Khan/
Examiner, Art Unit 1796
February 5, 2009